

**BOARD OF SELECTMEN MINUTES
FEBRUARY 22, 2011**

Chairman George Infanti called the meeting to order at 6:30 p.m. Selectmen present: Bruce Bowler, Thomas Grella and James O'Mara. Also present Town Administrator Gary MacGuire and Executive Assistant Sharon Frydlo.

Citizens Forum

Albie Sampson, 15 Middle Street, presented the Board with a letter regarding the Village skating rink on Middle Street. He spoke about getting regular access to water on a consistent basis and has been flooding the rink from his own home due to its proximity to it. He also mentioned that he and Ned Bermingham have been working as a team and it takes a bit of effort because they had worked on the rink three out of the last four days. He recognized Eric Hahn from the Fire Department for the work he and his crew did initially and at various times during this season, but would like to have more consistency from them. He wondered if one of the volunteers could be trained by Pennichuck, so that they could use the hydrant and regulate the water. Mr. Sampson also suggested a committee be put together to work on the rink and have a way to coordinate water access with Pennichuck or the Fire Department when it was ready and not let it fall on the backs of Ned and himself. He also spoke about a sign that might include the following: Skaters do so at their own risk; please clean up when you leave; children please wear helmets; this rink is for skating only – no hockey sticks or pucks permitted when skaters are present; sorry – no nets.

Mr. Infanti told him that it was the Board's intention, when this was started, that the use was for the younger kids for skating and not hockey. Mr. Bowler mentioned that he had told Ned that the Board would discuss this. The Fire Chief said the only ones to use a hydrant would be the Fire Department and DPW. They shouldn't have to be relying on Eric, they need to get Recreation involved and this was discussed as well. Mr. Sampson indicated that they didn't mind maintenance. Mr. Infanti remarked that they realize there is a problem and it was almost March 1. He was sure that next year they will have a very clear plan, but he was not sure what it would be. If they could use the water it would help and this was a year of a learning experience for all of them.

Mr. Bowler indicated he would like to contact both Pennichuck and Chief Boynton and would also like to have a plan. Mr. Infanti mentioned that when he talked to Pennichuck to ask them about a device, similar to a pump, used to draw water he has on one of his rental properties. Mr. MacGuire advised that he had just seen some of the emails and was unaware of the water access matter. Mr. Infanti thought they should contact Pennichuck and that Mr. Sampson's paying for the water was unacceptable. Mr. Sampson mentioned that he would like to stay as a volunteer and noted that they had built a bench. He also would like to donate a sign indicating "Skating or No Skating".

Mr. Bowler thought the Board should have a quick discussion on the rules. The Board agreed on those suggested rules listed above. Mr. Bowler noted that next year they should have a sign that would take care of all of these items. Mr. Sampson remarked that they had done enough work on the rink and everything should work for the next four or five days. Mr. Infanti thanked him for all he has done.

Richard Lefebvre, 38 Courthouse Road, read a prepared lengthy statement citing Petition Articles 37 and 38 that were amended at the Deliberative Session pertaining to the Library budget. He felt Article 37 was amended correctly, but Article 38 was not. He read the Article as presented, then read the amendment and he believed the subject matter was changed. Among other statements, he mentioned that when the

52 Selectmen present their budget there was a budget for all Departments including the Library budget.
53 There is a statement at the bottom of the Article that they either approve or disapprove the line item. He
54 asked if they were also approving the Library line that was in their budget. He also read about the default
55 budget and quoted an RSA pertaining to this. He mentioned he was disappointed with the way this turned
56 out. He would like the Selectmen to have the same budgeting process with the Library as they did with
57 the School Districts. Mr. Infanti asked for comments from the Board and there were none. Mr. Lefebvre
58 also mentioned that there were emails going around from certain agencies that the Selectmen have the
59 authority, in a default budget, to reduce every budget, including the Library, by 10%.

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63 David Chen, Martingale Road, also read a prepared lengthy statement indicating that he wanted to talk to
64 the Selectmen in a Non-Public Session and Chairman Infanti said it couldn't be done. This went beyond
65 the Board's or his relationship at the Deliberative Session. He talked about creditability and integrity and
66 by the Board's inaction hurt his reputation. He spoke about Town Counsel and his written email of
67 apology to him, that he read. Mr. Chen indicated that Town Counsel provided template language at the
68 request of the Selectmen as to be in a proper form and apologized for his lapse of memory. Mr. Chen
69 indicated he has accepted his apology and appreciated his concern for him. However, he continued that
70 there were at least three Selectmen, including the Town Administrator, who knew the facts and let his
71 creditability be tarnished.

72
73 Mr. Infanti remarked that if he embarrassed Mr. Chen, it was not his intent. The Board should not be
74 paying Town Counsel to write a petition warrant article and did not believe he should be writing them. If
75 he was directed by the Board, he would be surprised if he would have approved this. If Mr. Chen felt
76 they gave him permission that night, he would have said yes, he did. It was wrong and he did not have
77 the sanction about writing it and it should have come from the petitioners. He did not think this was right,
78 especially on the Town's nickel. He told Mr. Chen that he would be upset if the Town paid \$300-\$500 to
79 write this petition Article for him and compared it to the "Blue Bus Article".

80
81 Mr. O'Mara indicated that from the very beginning, he did not believe they had asked Town Counsel to
82 write it. He asked that they go back to the request from the folks requesting advice for the Blue Bus from
83 the Selectmen. He didn't believe Mr. Chen's reputation was tarnished and didn't get this sense at all.
84 While he didn't think he should feel this way, he believed it took courage and they needed more people
85 like him. He didn't believe anyone took the time to impugn anyone's integrity. Mr. Bowler commented
86 that he forwarded an email onto Selectman Dwight Brew, as the Library Liaison, and he did not know
87 how it got back to Town Counsel. He apologized to Mr. Chen about the initial trail and how it got to Bill
88 Drescher, they received a response back and this was the only response he knew about.

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90 Mr. Infanti commented he knew of no problem accepting petition warrant articles and believed the
91 Selectmen should have no part in them. Mr. Chen remarked that this Article was very complicated if
92 they, as a Board, say there were holes in it. Mr. Bowler indicated he agreed with Dick Lefebvre in that
93 this Article got changed beyond the intent. Chairman Infanti indicated he would go back to Town
94 Counsel to see if this was not the intent. He agreed with Jim, that Mr. Chen has been an asset to the
95 Town over a number of years. He would apologize for the entire Board and his stand up convictions.
96 There was a strong contingent for the Library from the folks at the Deliberative Session. It was not the
97 Board's intention for whatever happened that might address his creditability or his honesty. Mr. Grella
98 spoke about the petition warrant article and that Town Counsel weighed in on them and in the past may
99 have rule some of them out of order and he had never written one as long as he had been on the Board.
100 He too apologized. Mr. O'Mara asked what was the policy about generating an invoice from Town
101 Counsel. Mr. Bowler advised by consultation from the Chairman and Town Administrator. Mr.

MacGuire advised that one thing they did not make clear was that Town Counsel traditionally reviews all warrant articles before Town Meeting.

Mark Vincent, Brook Road, and Ted Landon, Sprague Road, both Amherst Citizens Association members were next to talk to the Board. Mr. Vincent remarked that he had sent a letter to all of them last week regarding Article 27 and the disposition of the LUCT funds. Mr. Infanti noted they had asked Jim to address this. Mr. O'Mara indicated that Article 27 was a lawful warrant article for the people to vote on at the polls. The original \$250,000 was increased to \$390,000 by the Deliberative Session. If this failed, the funds would remain in the General Fund balance. He had researched the matter when this began. In 2001 Article 12 was on the ballot – the results 2015 in favor and 1018 against it. The LUCT fund was allowed to roll over from year to year since 2001. It has been utilized on four occasions – three in 2007, \$225,000 for Peabody Mill, \$250,000 for the Bean property and a \$400,000 request for road repairs. The operating budget was increased by \$400,000 and the road repair article was reduced to \$1.00. In 2008, LUCT funds were requested to purchase land adjacent to the Department of Public Works. The governing body seeking those funds were doing so under the assumption that this was proper. This year when they submitted this warrant article to DRA, they were told they weren't supposed to do this and that the LUCT fund cannot accumulate. In 2001 it wasn't known for sure if it went to DRA, but DRA had an opportunity to look at the article in October, when the Town set the tax rate. On the other four occasions not an eyebrow was raised by DRA. Any time they wanted to expend from that fund, they asked appropriately and at the eleventh hour, DRA said they can't do this. His colleagues wanted everyone to know it was a cumulative error and with the amendment it will either fail or drop to the bottom line. He had asked Gary what the surplus amount was. He noted that their Auditors recommend they maintain a fund balance of 5-10% and the DRA recommends 5% -17%. The estimated fund balance is \$1,621,715 and are at only 3.9%. They won't know until June where the money should go. In further years, the funds will be dropped to the bottom line due to the unambiguous language.

In response to Mr. Vincent's question, Mr. O'Mara told him that yes, three out of four articles passed. Mr. Vincent commented that his disappointment was only in the fact that upon learning of the mistake that was made over the years, that these monies were not directed into the General Fund at the time and that it clearly states that these funds are General Fund revenues. The position he would take is that this was really a transfer of funds from the LUCT that should not be in there, but go to the bottom line. Given the title of the article "Transfer from LUCT Fund", people may feel it is just a housekeeping issue and this was not the case. He would hope there will be a correction prior to March 8.

Mr. Landon indicated that their position was not the use or bad use, the issue was that any monies they collected through the Land Use Change Tax, prior to 2009, should already be in the General Fund. They as Selectmen can do whatever they want to do with it, but clearly the money is allocated to the General Fund. This money is not available in the LUCT Fund or whatever it states. It was Mr. O'Mara's recollection that the Selectmen offered an amendment on the screen at the Deliberative Session and a citizen who was confused expressed from the floor to use the word "transfer" because she felt it would pass using it. Mr. Landon argued that the money was not there – they can "raise and appropriate" or "transfer". It needs to go to the General Fund and where it belongs. Mr. O'Mara mentioned they find themselves in somewhat of a running debate. He thought this was a good thing and this problem could continue forever if DRA hadn't raised this question. Since the article was placed on the ballot, the question has to be fully aired as to what they do with the money, if it passes. This was a significant amount and hasn't been raised as an error by their Auditors.

Mr. Landon remarked that there was no question about the merit and was not the issue. No blame was placed with this Board or previous Boards, but once they know, they are obligated to follow the law.

DRA had told them that monies prior to July 1, 2009 should be in the General Fund and they have their letter. The letter was dated January 31, 2011 and he asked if it was after the posting. Mr. MacGuire replied yes and Mr. O'Mara added that the language already existed. Mr. Landon indicated he was disputing the amount of money in the warrant article. He asked what was available and collected from July 2009 on and what was available and what was available should be transferred. Mr. O'Mara noted he was right, but they can't go backwards, they are in FY10. What he was suggesting is what the balance was on June 30, 2009, but they can't amend the warrant article which was the difficult part. He asked Mr. Landon how would he suggest they change the printed warrant article that will appear on the ballot because they can't do this. Mr. Landon thought it would be null and void. The issue was how much money was available and this is what should be in the article. He understood it was too late to change it, but if there isn't \$390,000 was the money to be raised through taxation. Mr. O'Mara indicated there may be some post election matters.

Marilyn Peterman, Amherst Street, told the Board that listening to Mark and Ted reminded her of a quote from Mark Twain – "It ain't what you don't know that gets you in trouble, it's what you know for sure that just ain't so". The reason she came that night was because she was offended for the Board and the Town by what was printed on their web site that called the action of the LUCT fund illegal and then referred to another article on their web site that called it the Selectmen's "slush fund" and it was offensive. When they go back to 2001, the year the RSA was passed, In order to set up this fund, the Town Meeting, at that time, had the opportunity to do what Town Meeting has done for many years in this community which was to plan and save. The legislative body gave them this opportunity twice, once was by placing 50% of these funds into a Conservation account. Amherst has always planned and saved for land and in 2001 the other 50% of current use was placed into a LUCT fund. Maybe they erred in their understanding of what that RSA meant, they were not attorneys, but the decision to set up a LUCT fund first and then place money into it for the purchase of land was not a nefarious endeavor. Over the years the Town used the money for several purposes and was never told by DRA that it couldn't be done and using the term "slush fund" was offensive to her and the Town. She hoped when the "Citizen" comes out on the third, that these terms are not used by this group of people who want to take away the opportunity for planning and saving out of the hands of the voters. The money can go to the General Fund or to surplus, which they have tried to accumulate over the years. She hoped the Town saw fit to vote to have this money put into a Recreation Fund and if it is deemed as it now has been by DRA, nine years after the fact that this money does not accumulate, that they write another warrant article, as DRA sees fit, so that they can continue to accumulate funds for land.

Mr. Infanti thanked Mrs. Peterman. Mr. O'Mara remarked that the only thing he would say as a member of the Board and to the folks at home, there really wasn't an issue. Under *RSA 31:126 entitled Presumption of Procedural Validity – Municipal legislation, after five years following its enactment, shall, without further curative act of the legislature, be entitled to a conclusive presumption of compliance with statutory enactment procedure. Any claim that municipal legislation is invalid for failure to follow statutory enactment procedure, whether that claim is asserted as part of a cause of action or as a defense to any action, may be asserted within five years of the enactment of the legislation and not afterward.* Meaning because it took DRA ten years to figure out that the 2001 article wasn't written properly, they were five years too late and it becomes a law. He asked people not to be confused and create an issue that wasn't there.

Mr. Infanti noted that within several hours of the Deliberative Session, he received several emails about the ACA's web site and he didn't know how many people read it. He personally did not feel he was hiding anything or sandbagging any money. The Board put in a lot of time and this was an inappropriate publication and hoped it didn't go to the local newspapers.

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207 Jennifer Lohnes, 13 Edgewood Run, mentioned confusion and that she was trying to educate people on
208 what she thought was the intent back in 2001 by doing research since she was not in Amherst then. She
209 asked if there was anything the Board could do. Mr. Infanti believed there will not be another edition of
210 the "Citizen" before Election Day. Mr. MacGuire added the Voters' Guide will be an insert to the
211 "Amherst Citizen". Mrs. Lohnes asked if the Board could put something out, but with clarification. She
212 did not think the Town should be punished by DRA by putting this out at the last minute. Mr. O'Mara
213 mentioned that when people read RSA 31:126 this community doesn't have to go with that law because
214 they have a five year track record beyond this RSA. Mr. Infanti felt that if the explanation wasn't there
215 people will probably vote it down. He thought that before they finish the meeting, they will try to get
216 something in the paper and he thanked her.

217
218 **Review Littering Ordinance**
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220 Mr. Infanti advised that at the meeting when George Coddington was in, there was a discussion about
221 covered loads and littering. Chief Lyon produced a memo containing various ordinances back to 1973
222 that said loads have to be covered. In his opinion, waste material could be anything and needed to be
223 covered and tied down with canvas in the back of a truck. He believed they already have an ordinance on
224 the books.

225
226 The Chief indicated he provided the Board with everything he had. His thought is that it might be
227 appropriate to update the ordinance with today's language, since it was 38 years later and update the fine
228 as well. He said he would be happy to work with Gary and Town Counsel. Between the ordinance and
229 State laws, they had plenty of information to address this.

230
231 Mr. MacGuire noted that now that the fines have been identified in 1973 on the Town's side, they could
232 use the State's since they have already been updated. Mr. Infanti suggested updating it sometime in
233 April. Mr. O'Mara mentioned that the Town's ordinance probably cites statutes that have already been
234 repealed and they should amend Town Ordinances. In his travels this past weekend, in Connecticut on
235 Route 84 there is an \$219.00 fine for littering. He indicated that he was being more mindful of seeing
236 trash bags and added the signage can't help, but it can't hurt either.

237
238 **Request from John Swanson for the Congregational Church to Waive**
239 **a Portion of Building Permit Fees**
240

241 Mr. Infanti advised the Church pulled an electrical permit for a generator for part of the building and the
242 fee was \$149.00. The theory was that because the Town owns the steeple on the church, they felt the
243 permit should be less money and asked to waive a portion of the permit. Mr. MacGuire noted that John
244 Swanson is on the Building Committee for the Church and threw out the idea downstairs. When he talked
245 to Mr. MacGuire, he advised Mr. Swanson that neither he, nor the folks downstairs, had the ability to
246 waive this and it was up to the Board to provide the answer.

247
248 Mr. Infanti personally did not feel the fee was unrealistic, since the Town still had to send someone over
249 to inspect it and didn't see the need to reduce it. Mr. Grella suggested looking at the square footage of the
250 steeple vs. the size of the building and it may only be reduced by \$15.00 - \$20.00. Mr. Bowler was fine
251 the way it was and they don't do much with the steeple. He also had no problem with the fee. **Mr.**
252 **Bowler moved to deny the request, second by Mr. Grella.** Discussion: Mr. MacGuire indicated that the
253 way it was presented was that the generator was involved with the fire alarm system and in some manner
254 with the sprinkler system and a small portion of this protects the steeple. Mr. Grella added that it was a

safety concern because it was a dry system. Mr. Bowler mentioned that it was helping to protect an asset to the Town and they see it on the letterhead and patches. Mr. O'Mara asked them to defeat the motion and he would offer a new one to reflect consideration of the information they just received. **Vote: 1-3, Mr. O'Mara, Mr. Bowler and Mr. Grella opposed. Mr. O'Mara moved that the Selectmen reduce the figure by \$25.35 which was about 15% for a new fee of \$123.65, second by Mr. Bowler. Vote: 3-1, Mr. Infanti opposed.**

Request for Use of Town Common for Senior Project

Mr. Infanti reported they received a letter from Anjelica Newell, who for her Senior Project would like to do an art show on the Green. He read a portion of her letter indicating that she was only requesting use of half of it, as there will be an estimated 20-40 booths set up. The crowd size is expected to be about the same usually seen at the Farmers Market. Because the crowd size would not be large, a Police Detail would not be necessary. Since then, he had talked to her because he felt the April 16th date would be too soon in the spring because of the amount of snow they have had and the Common might not be dried out by then. She went back to her Advisor and asked for an extension to have it in the middle of May either Saturday the 14 or 21. **Mr. Bowler moved to approve the request for either May 14 or 21, second by Mr. Grella. Vote: Unanimous.**

Request for Ideas for Earth Day

Mr. Infanti read a portion of a letter received from Micah Quindazzi, a sophomore at Souhegan High School, who was planning an Earth Day event on April 22, 2011. Her plan was to have the over 900 students take part in this event. She was asking for ideas from the Selectmen and what they could do to help make a difference in the carbon footprint in Amherst. He said his first thought was to go to the DPW Director and the Conservation Commission and others who may have a better idea for what she was looking for or certain areas the Selectmen may have seen. He noted the incredible job the kids did last fall and they had a lot less participants than this would have. Mr. Bowler suggested that if Conservation was involved and they were talking roadside cleanup, George Coddington should be contacted. Mr. O'Mara asked that Gary coordinate this and perhaps the Town could supply bags and have trucks available. One of the areas, Mrs. Lohnes thought should be a target, was the dirt portion of County Road because of all of the trash. Mr. MacGuire pointed out that a copy of the letter was also sent to Maggie Paul, but he was unclear if she had the authority to involve the entire school.

Authorization for Emergency Tree Removal

Mr. MacGuire advised that they didn't make copies of the colored photos taken by Director Berry of the burn marks on the trees because they wouldn't show them. **Mr. Bowler moved to approve, second by Mr. Grella.** Discussion: Mr. MacGuire told Mr. O'Mara that the Board can do this based on scenic road regulations. **Vote: Unanimous.**

Pole Licenses

Mr. Bowler moved to approve pole licenses for General Amherst Road, Broadway, Embankment Road, 117 Boston Post Road and Boston Post Road, second by Mr. Grella. Vote: Unanimous.

Elderly / Disabled Tax Deferral 27 Cross Road

Mr. Bowler moved to approve the above tax deferral for M/L 2-146-27 in the amount of \$4,499.00, second by Mr. Grella. Vote: Unanimous.

306 **Accept Unanticipated Funds**

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308 Mr. MacGuire advised that four of the funds listed were grants the Board has seen previously through the
309 Fire Department for the Communications Center. They were Quantar Maintenance \$4,860.00;
310 Maintenance Reimbursement for general equipment for the Center \$1,800.00; MCC Upgrade
311 Reimbursement \$450.00; and the same for \$3,888.00. **Mr. Bowler moved to approve and expend, second**
312 **by Mr. Grella. Vote: Unanimous.**

313
314 Mr. MacGuire advised the next one was a refund of \$2,103.72 for computers for PMEC that were
315 returned as being unnecessary for their plan. **Mr. O'Mara moved to accept and expend, second by Mr.**
316 **Bowler. Vote: Unanimous.**

317
318 The last one was a Planning & Zoning penalty violation settlement for November, December and January
319 for \$3,000.00 as declared by the Court. **Mr. Bowler moved to approve and expend, second by Mr.**
320 **Grella. Vote: Unanimous.**

321
322 **Abatements & Veterans Tax Credits**

323
324 After Mr. Bowler read the recommendation from MRI, **he moved to grant the abatement on M/L 2-149-**
325 **10, second by Mr. Grella in the amount of \$575.42 for 2009 and \$583.69 for 2010. Vote: Unanimous.**

326
327 After Mr. Bowler read the recommendation from MRI, **he moved to grant the abatement on M/L 12-10,**
328 **second by Mr. Grella in the amount of \$3,028.50 for 2009 and \$3,072.00 for 2010. Vote: Unanimous.**

329
330 After Mr. Bowler read the recommendation from MRI, **he moved to grant the abatement on M/L 5-171-**
331 **2, second by Mr. Grella in the amount of \$1,038.34. Vote: Unanimous.**

332
333 After Mr. Bowler read the recommendation from MRI, **he moved to grant the abatement on M/L 5-121-**
334 **16, second by Mr. Grella in the amount of \$591.87. Vote: Unanimous.**

335
336 After Mr. Bowler read the recommendation from MRI, **he moved to grant the abatement on M/L 4-109-**
337 **3, second by Mr. Grella in the amount of \$878.59. Vote: Unanimous.**

338
339 After Mr. Bowler read the recommendation from MRI, **he moved to grant the abatement on M/L 7-94,**
340 **second by Mr. Grella in the amount of \$997.38. Vote: Unanimous.**

341
342 After Mr. Bowler read the recommendation from MRI, **he moved to accept the withdrawn abatement,**
343 **second by Mr. Grella. Vote: Unanimous.**

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345 **Veterans Tax Credits**

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347 **Mr. Bowler moved to approve the tax credit for M/L 20-19 in the amount of \$500.00, second by Mr.**
348 **Grella. Vote: Unanimous.**

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350 **Mr. Bowler moved to approve the tax credit for M/L 4-23-6 in the amount of \$500.00, second by Mr.**
351 **Grella. Vote: Unanimous.**

352
353 **Mr. Bowler moved to approve the tax credit for M/L 10-28-6 in the amount of \$500.00, second by Mr.**
354 **Grella. Vote: Unanimous.**

356 ***Mr. Bowler moved to approve the tax credit for M/L 5-16-26 in the amount of \$500.00, second by Mr.***
357 ***Grella. Vote: Unanimous.***

358
359 **Minutes**

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361 ***Mr. Grella moved to approve the minutes of February 3, 2011 as printed, second by Mr. O'Mara.***
362 ***Vote: 3-0-1, Mr. Bowler abstained.***

363
364 **Other Business**

365
366 Mr. Grella reported he met that afternoon with the Highway Safety Committee and they talked about
367 additional street lights at several intersections. Mr. MacGuire added that street lights were only at
368 intersections unless there were some extenuating circumstances. Mr. Grella noted they talked about the
369 possibility of notifying the Planning Board to have the developer pay for the street light at any
370 intersection that meets a Town road. Mr. MacGuire didn't know if PSNH rules have changed. Mr.
371 Infanti suggested they talk to Charlie Tiedemann and have him put this on their agenda.

372
373 Mr. Infanti reported that the Planning Board discussed the Work Force Housing Development last week.

374
375 Mr. Bowler thought the voters will certainly educate themselves, so that they understand what they are
376 voting for. Mr. Infanti indicated he would like to agree with him. His biggest issue was the article
377 accusing them of having a slush fund – it is what it is. The reality, however, is the power of the press.
378 Mr. O'Mara's opinion was that there is no issue and if they take the time, they could compound the issue
379 by lending them credence. Mr. Bowler was fine with it the way it is and he agreed with Jim. He also
380 didn't believe there was an issue and there will be both pros and cons, but believed there were more pros.
381 Mr. O'Mara thought it was unnecessary attention to a non issue.

382
383 **Non-Public Session**

384
385 ***Mr. Bowler moved to go into non-public session at 8:41 p.m. under RSA 91-A:3 II (d), second by Mr.***
386 ***Grella. Roll call vote: Mr. O'Mara – yes; Mr. Bowler – yes; Mr. Grella –yes; Mr. O'Mara – yes.***

387
388 While in non-public session, Mr. MacGuire updated the Board on a potential land donation.

389
390 ***Mr. Bowler moved to re-enter public session at 8:50 p.m., second by Mr. Grella. Roll call vote: Mr.***
391 ***O'Mara – yes; Mr. Bowler – yes; Mr. Grella –yes; Mr. O'Mara – yes.***

392
393 ***Mr. Bowler moved to adjourn the meeting at 8:51 p.m., second by Mr. Grella. Vote: Unanimous.***

394
395 Respectfully submitted,

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398 Sharon Frydlo
399 Executive Assistant